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January 11, 2016

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12 Street, S.W.  
Washington, D.C. 20554

Re: Ex parte presentation in IB Docket No. 12-340; IB Docket  
No. 11-109; IBFS File Nos. SAT-MOD-20120928-00160; SAT-MOD-20120928-  
00161; SES-MOD-20121001-00872; SAT-MOD-20151231-00091;  
SAT-MOD-20151231-00090; SES-MOD-INTR2015-02526

Dear Ms. Dortch:

On December 31, 2015, counsel for New LightSquared LLC submitted a filing in furtherance of the Settlement Agreements reached between LightSquared and its subsidiary, on the one hand, and GPS vendors, Deere & Company and Garmin International, Inc., respectively, on the other hand.

Among other things, the filing requests that the Commission modify LightSquared licenses to reflect certain EIRP and out-of-band emission ("OOBE") limits contained in the Agreements. The filing further requests that the Commission issue a Public Notice soliciting comment on the changes proposed in LightSquared's plan, one of which is the specification of a new EIRP limit applicable to the band 1526-1536 MHz. This band is one megahertz removed from the L-band spectrum used for flight testing aircraft and missiles, namely 1435-1525 MHz.

The LightSquared filing is presented as "part of a comprehensive solution that would address the concerns of the GPS community, the National Oceanic and Atmospheric Administration ("NOAA"), and the aviation industry . . . ." (Response to Question 43: Description of Proposed Modification and Public Interest Statement," page 1). Review of the filing indicates that it is focused substantially on GPS issues -- GPS being LightSquared's

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Ms. Marlene H. Dortch  
January 11, 2016  
Page 2

neighbor to the immediate north of its 1525-1559 MHz spectrum -- and that references to the "aviation industry" are in connection with GPS receivers used in aviation. There is no mention of potential LightSquared interference to aeronautical mobile telemetry ("AMT") operations in the band immediately to the south of LightSquared at 1435-1525 MHz.

In light of these circumstances, Aerospace and Flight Test Radio Coordinating Council, Inc. ("AFTRCC") urges that any Public Notice the Commission might consider issuing in response to LightSquared's December 31 request, be sufficiently broad in scope as to enable meaningful comment on LightSquared's compatibility with AMT below 1525 MHz, and not be limited strictly to GPS, or compatibility with NOAA operations in 1675-1680 MHz.

This is similar to relief AFTRCC requested three years ago. On December 17, 2012 AFTRCC submitted Comments on LightSquared's Petition for the adoption of rules relative to terrestrial use of the 1526-1536 MHz band (RM-11683). Then, as now, LightSquared focused on GPS issues.<sup>1</sup> AFTRCC's Comments stated:

"While AFTRCC takes no position on the Petition or Modification Applications, if the Commission does determine to go forward with a rulemaking it should be broader in scope than sought by LightSquared. It should encompass a review of the potential interference to AMT facilities, as well as possible rules to help mitigate that risk [footnote omitted]. This is particularly the case given the potential concentration of tens of thousands of LightSquared's base stations virtually adjacent to the AMT band, and aggregate effects generated thereby."

Id. at page 3. For the same reasons, AFTRCC urges that the Public Notice now sought should be broader in scope than requested by LightSquared.

Finally, it should be noted that prior to the suspension of Commission activity on LightSquared, AFTRCC and LightSquared had engaged in substantial negotiations regarding a possible coordination agreement. These negotiations were conducted in the light of Commission Rule 25.253(f) which prescribes that

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<sup>1</sup> Aerospace and Flight Test Radio Coordinating Council, Inc. is an association of the nation's principal aerospace manufacturers (see Attachment). AFTRCC was founded in 1954 to serve as an advocate for the aerospace industry on matters affecting spectrum policy. It is also the Commission-certified non-Government coordinator for the shared, Government/Non-Government spectrum allocated for flight testing. AFTRCC works closely with Government Area Frequency Coordinators in an effort to ensure that interference-free flight test operations are protected, and flight safety maximized.

Ms. Marlene H. Dortch  
January 11, 2016  
Page 3

“prior to operation, ancillary terrestrial component licensees shall: . . . (2) Take all practicable steps to avoid locating ATC base stations within radio line of sight of Mobile Aeronautical Telemetry (MAT) receive sites in order to protect U.S. MAT systems consistent with ITU-R Recommendation ITU-R M.1459.”

LightSquared and the undersigned recently have communicated regarding a resumption of those discussions. AFTRCC looks forward to a resumption, and expects to be able to do so soon. Nevertheless, such discussions are not a substitute for the relief requested here -- anymore than they were a substitute for the relief AFTRCC requested for the AMT community in December 2012.

Accordingly, for the foregoing reasons, it is requested that any Public Notice issued in response to LightSquared's request expressly include within its scope consideration of the effects of LightSquared's current proposal and modification applications on AMT operations in 1435-1525 MHz, and afford opportunity for comment thereon.

Thank you.

Respectfully submitted,



William K. Keane  
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Enclosure  
WKK/sd

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Ms. Marlene H. Dortch  
January 11, 2016  
Page 4

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